

Patent

Attorney Docket No. 54367.8001.US01

1651

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: VEIN, Jon

APPLICATION No.: 09/991,544

FILED: November 16, 2001

**FOR: TISSUE ENGINEERED MEAT FOR CONSUMPTION
AND A METHOD FOR PRODUCING TISSUE ENGINEERED
MEAT FOR CONSUMPTION**

EXAMINER: DAVID M. NAFF

ART UNIT: 1651

CONF. NO: 3052

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited on April 6, 2004, with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Amy Shields**INFORMATION DISCLOSURE STATEMENT AFTER FIRST OFFICE ACTION
BUT BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE – 37 C.F.R. § 1.97(C)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 may be material to the examination of this application; the Examiner is requested to make them of record in the application.

B. Cited Information☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ Copies of the following references can be found in parent U.S. Application No. :

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

- ☐ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed: (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference; (iii) a copy of a reference which appears to be an English-language counterpart; or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
 - ☐ All cited references
 - ☐ References marked by ampersands
 - ☐ The following:

C. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

D. Fee Payment (37 C.F.R. § 1.97(c)) or Certification (37 C.F.R. § 1.97(e))

- ☒ Applicant elects to pay the fee under 37 C.F.R. § 1.17(p) \$180.00.
 - ☒ Check enclosed for \$180.00.
 - ☐ Please charge the above fee(s) to Deposit Account No. 50-0665 this paper is provided in triplicate.
- ☐ Applicant submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
 - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
 - ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a

communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.


- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-0665.

E. Patent Term Adjustment (37 C.F.R. § 1.704(d))

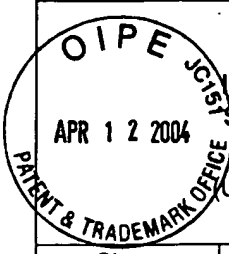
- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

Dated: April 6, 2004

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 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)				COMPLETE IF KNOWN	
				Application Number	09/991,544
				Confirmation Number	3052
				Filing Date	November 16, 2001
				First Named Inventor	VEIN, Jon
				Group Art Unit	1651
Examiner Name	David M. Naff				
Attorney Docket No.	54367.8001.US01				
Sheet	1	of	2		

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	AA	5,686,091		LEONG, K.W., et al.	3/28/94	
	AB	5,770,417		VACANTI, J.P. et al.	2/28/94	
	AC	5,843,741		WONG, J.Y., et al.	8/1/94	
	AD	5,863,984		DOILLON, C.J., et al.	12/1/95	
	AE	5,916,265		HU, J.	6/6/1995	
	AF	5,928,945		SELIKTAR, D., et al.	11/20/96	

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	AG	AHRENS, et al., "Expression of Human Bone Morphogenetic Proteins-2 or -4 in Murine Mesenchymal Progenitor C3H10T1/2 Cells Induces Differentiation into Distinct Mesenchymal Cell Lineages," <i>DNA Cell Biology</i> 1993; 12:871-880.	
	AH	GRIMALDI, et al., "Trans-differentiation of Myoblasts to Adipoblasts: Triggering Effects of Fatty Acids and Thiazolidinediones," <i>Prostaglandins, Leukotrienes, and Essential Fatty Acids</i> 1997; 57(1):71-75.	
	AI	NIKLASON, L., et al., "Advances in Tissue Engineering of Blood Vessels and Other Tissues," <i>Transplant Immunology</i> 1997; 5(4):303-306.	
	AJ	SOTTILE, V., et al., "Bone Morphogenetic Protein-2 Stimulates Adipogenic Differentiation of Mesenchymal Precursor Cells in Synergy with BRL 49653 9 (Rosiglitazone)," <i>FEBS Letters</i> 2000; 475(3):201-204.	
	AK	TEBOUL, et al., "Thiazolidinediones and Fatty Acids Convert Myogenic Cells into Adipose-Like Cells," <i>Journal of Biological Chemistry</i> 1995; 270(47):28183-28187.	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	

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Sheet 2 of 2				Examiner Name	David M. Naff
				Attorney Docket No.	54367.8001.US01

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	AL	VACANTI, J., et al., "Tissue Engineering: The Design and Fabrication of Living Replacement Devices for Surgical Reconstruction and Transplantation," <i>Lancet</i> 1999; 354 Suppl. 1:S132-S134.	
	AM	WANG, et al., "Bone Morphogenetic Protein-2 Causes Commitment and Differentiation in C3H10T1/2 Cells," <i>Growth Factors</i> 1993; 9:57.	

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